

COUNTY LOCAL LAWS

Bill No. 104-73

AN ORDINANCE to add new Section 6-115A to the Anne Arundel County Code (1967 Edition and Supplements), Title 6, "Crimes and Misdemeanors", Subtitle 1, "Generally", to follow immediately after Section 6-115 thereof, to define and regulate the offering and availability of obscene matter or material; TO PROVIDE CERTAIN EXEMPTIONS FROM THE OPERATION OF SAID SECTION; to provide penalties and legal remedies for the violation thereof; to provide for the destruction of materials found to be obscene; TO PROVIDE FOR THE AUTOMATIC REPEALER OF ANY PROVISION INCONSISTENT WITH ANY STATE STATUTE DEALING WITH OBSCENE MATTER OR MATERIAL; and matters generally related thereto.

WHEREAS, the Hill-Link Minority Report of the Commission on Obscenity and Pornography indicates that there is at least an arguable correlation between obscene material and crime; and

WHEREAS, there is presently no effective State-wide statute to regulate the offering and availability of obscene materials to the public, and it is in the interests of the public health, safety and welfare of the citizens of Anne Arundel County, Maryland, that the availability of obscene matter or material be regulated; now, therefore,

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND, That new Section 6-115A be, and it is hereby added to the Anne Arundel County Code (1967 Edition and Supplements), Title 6, "Crimes and Misdemeanors", Subtitle 1, "Generally", to follow immediately after Section 6-115 thereof, and to read as follows:

Section 6-115A

(1)[(A)] IT SHALL BE UNLAWFUL FOR ANY PERSON TO:

[(I) PREPARE, SELL, DISTRIBUTE, PUBLISH, PRINT OR EXHIBIT ANY OBSCENE MATTER OF ANY NATURE OR MATERIAL TO ANY PERSON.

(II) OFFER OR DISTRIBUTE ANY OBSCENE MATTER OF ANY NATURE OR MATERIAL TO ANY PERSON.

(B) TO DISPLAY ANY SUCH OBSCENE MATTER OR MATERIAL FOR PUBLIC VIEWING.